

Farm Products Marketing Agencies Bill

Mr. Speaker: I declare the motion lost. The House will now proceed to motion No. 29. Mr. Rose moved:

That Bill C-176, an act to establish the National Farm Products Marketing Council and to authorize the establishment of national marketing agencies for farm products, be amended by adding thereto immediately after line 34, page 23, the following:

"38. (1) Where any person, with the agreement of any five other persons, deems himself aggrieved by an order, direction, or decision of an agency, he may appeal to the agency by serving notice to the agency a written notice of appeal.

(2) Where any persons deem themselves, aggrieved by,

(a) any decision of an agency on an appeal under subsection (1); or

(b) any order, direction or decision made by the council, they may appeal to the council by serving upon the council written notice of the appeal.

(3) Every notice under subsection (1) or (2) shall contain a statement of the matter being appealed and the names and addresses of the persons making the appeal.

(4) Upon receipt of a notice under paragraph (a) of subsection (2), the council shall forthwith notify the agency and the agency shall forthwith provide the Council all the relevant documents and other material, of any kind whatsoever, in its possession.

(5) In any appeal under subsection (1) or (2), the council or the agency, as the case may be, shall within seven days after the notice referred to in subsection (1) or (2) is received, serve notice upon the persons making the appeal of the date, time and place at which the appeal will be heard.

(6) The council or the agency, as the case may be, shall hear any appeal under subsection (1) or (2), within thirty days after the notice of appeal is received but the council or agency may adjourn a hearing from time to time for such reasonable period or periods of time as the council or agency deems just.

(7) At any hearing under this section the persons making the appeal have the right to attend and make representations and to adduce evidence respecting the appeal either by himself or through counsel.

(8) At any hearing of an appeal under paragraph (a) of subsection (2), the agency has the right to attend and make representations and to adduce evidence respecting the appeal either by its officers or members or any of them or through counsel.

(9) Upon an appeal to the council under paragraph (a) of subsection (2), the council may, by order, direct the agency to take such action as the agency is authorized to take under this act and as the council deems proper, and for this purpose the council may substitute its opinion for that of the agency.

(10) The council or the agency, as the case may be, shall within ten days after the hearing is completed, serve notice upon the persons making the appeal of its decision.

(11) A proceeding that is in substantial compliance with this section, is not open to objection on the ground that it is not in strict compliance therewith.

(12) Where a notice is served under this section it may be served personally or,

(a) where the notice is served on the council or an agency, by mailing the notice to the address of the council or agency, as the case may be, at its usual business address; or

(b) where the notice is served on the person making an appeal, by mailing the notice to the addresses shown in the notice of appeal.

(13) After the council or an agency has decided an appeal under this section, the council or agency may reopen the hearing on its own motion and make a new decision, and the procedure for an appeal under this section applies to the rehearing."

and by renumbering subsequent clauses accordingly.

The House divided on motion No. 29 (Mr. Rose) which was negatived on the following division:

YEAS

Messrs:

Alkenbrack
Baldwin
Barnett
Beaudoin
Bell
Bigg
Blackburn
Brewin
Broadbent
Burton
Cadieu
Carter
Code
Crouse
Danforth
Downey
Forrestall
Godin
Grills
Harding
Hees
Horner
Howard (Skeena)
Knight
Knowles (Winnipeg
North Centre)
Korchinski
Lambert
(Bellechasse)
Lambert
(Edmonton West)

Latulippe
Lundrigan
MacDonald (Egmont)
MacKay
MacLean
McCutcheon
McGrath
McKinley
Marshall
Mazankowski
Moore
Murta
Nowlan
Nystrom
Paproski
Peters
Rodrigue
Rondeau
Rose
Rowland
Ryan
Rvnrud
Schumacher
Scott
Skoberg
Souham
Stewart (Marquette)
Tétrault—56.

NAYS

Messrs:

Allmand
Anderson
Andras
Badanal
Barrett
Basford
Bécharde
Beer
Benson
Blair
Blouin
Borrie
Boullanger
Buchanan
Caccia
Cafik
Clermont
Cobbe
Comtois
Corbin
Corriveau
Côté (Richelleu)
Côté (Longueuil)
Crossman
Cullen
Danson
Deachman
Deakon
De Bané
Dupras
Duquet
Faulkner
Forest
Forget
Francis
Gendron
Gillespie

Goode
Goyer
Gray
Groos
Guay (St. Boniface)
Guay (Lévis)
Guilbault
Haidasz
Hogarth
Hopkins
Howard
(Okanagan Boundary)
Jamieson
Kaplan
Lachance
Lafamme
Laing
(Vancouver South)
Lajoie
Langlois
Laniel
La Salle
Leblanc (Laurier)
LeBlanc (Rimouski)
Legault
Lessard (LaSalle)
Lessard
(Lac-Saint-Jean)
L'Heureux
Lind
Loiselle
MacEachen
MacGuigan
Mackasey
McBride
McIlraith
McNulty